

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

MARION S. LEBON and
LISA COWAND

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:08CV509-LTS-RHW

STATE FARM FIRE & CASUALTY COMPANY

DEFENDANT

ORDER GRANTING MOTION TO CLARIFY

Before the Court is Defendant's [113] Motion to Clarify the Court's [112] Order entered on January 13, 2010. In the Order, the Court directed, among other things, "that Defendant shall within 21 days. . . present a Rule 30(b)(6) representative or representatives for deposition." In its motion, Defendant seeks clarification that they are not required to present a corporate representative for a Rule 30(b)(6) deposition based on the fact that Plaintiff already conducted a Rule 30(b)(6) deposition on January 6, 2010. Defendant filed the instant motion on January 15, 2010. Plaintiff has not filed a response in opposition to the motion. The time for filing a response has passed. Based on absence of a response in opposition and based on the fact that the parties already have conducted a Rule 30(b)(6) deposition, the Court finds that the [113] Motion to Clarify is hereby GRANTED.

SO ORDERED, this the 5th day of February, 2010.

s/ Robert H. Walker
UNITED STATES MAGISTRATE JUDGE